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PATE H. A. ...
2005 AUG 10 2005

PATENT

New Attorney Docket No. 144009.00200
Old Attorney Docket No. 54436-20002.00

US PATENT & TRADEMARK
OFFICE
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: William A. Knaus et al.)
) Group Art Unit: 3626
Appl. No.: 09/822,261)
) Examiner: Najarian, Lena
Filing Date: April 02, 2001)

Title: BROADBAND COMPUTER-BASED NETWORKED SYSTEMS FOR
CONTROL AND MANAGEMENT OF MEDICAL RECORDS

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

MAIL STOP: PETITION

Sir:

**PETITION UNDER 37 C.F.R. § 1.28 FOR REFUNDS WHEN SMALL ENTITY STATUS
IS LATER ESTABLISHED; HOW ERRORS IN SMALL ENTITY STATUS ARE
EXCUSED**

Applicant for the above-captioned U.S. Patent Application is a small entity. An appropriate small entity declaration was filed with the United States Patent and Trademark Office ("USPTO") and all fees charged have been at the small entity rate. Applicant filed a Request for Continued Examination (RCE) on May 12, 2005 with a request for the RCE fee to be charged to the undersigned's deposit account. On receipt of the monthly statement of the account, it was noticed that the USPTO had charged applicant the RCE fee as a large entity. This was an error and applicant respectfully requests a refund.

A copy of the Patent Application Fee Determination Record and the four previous fee worksheets obtained from the United States Patent and Trademark Office Public PAIR Access

Site for this application are enclosed. As can be seen, all previous fee worksheets reflect fees charged for a small entity. Only the last fee worksheet for the RCE charged the applicant as a large entity on May 24, 2005.

Remarks Regarding Establishment of Small Entity Status

Pursuant to 37 CFR § 1.27(c)(1) and (2), applicant established small entity status by a written and signed assertion of entitlement to small entity status in the original Utility Patent Application Transmittal. The intent to assert small entity status was clearly indicated and claimed as a Small Business Concern in compliance with the assertion requirement. Accordingly, it was signed by the attorney of record at the time of filing.

Additionally, under § 1.27 (c)(3) *Assertion by payment of the small entity basic filing or basic national fee*. The payment, by any party, of the exact amount of one of the small entity basic filing fees set forth in §§ 1.16(a), 1.16(b), 1.16(c), 1.16(d), 1.16(e), or the small entity basic national fee set forth in § 1.492(a), will be treated as a written assertion of entitlement to small entity status even if the type of basic filing or basic national fee is inadvertently selected in error. All four previous fee worksheets were paid as a small entity.

Remarks Regarding Refund of Difference for Fees Paid in Regard to RCE

Applicant's small entity status was properly established at time of original filing according to 37 CFR § 1.27(c). The United States Patent and Trademark Office acknowledged such establishment by charging applicant as a small entity on four fee worksheets as such. Applicant requests that the large entity fees charged with the filing of the Request for Continued Examination be refunded to Deposit Account No. 50-1682, referencing Attorney Docket No. 144009.00200. Copies of each of the five Patent Application Fee Determination Record are enclosed. Applicant was charged \$795 for the RCE as a large entity instead of \$395 as a small entity on May 24, 2005. This is a timely, written request within three months of payment date in compliance with 37 CFR § 1.28 (b) (1). Applicant is entitled to the difference of \$395.

Appln. No. 09/822,261

Attorney Docket No.: 144009.00200

Conclusion

Applicant respectfully requests that the \$395 difference mistakenly charged as a large entity rather than a small entity be refunded to the **Deposit Account No. 50-1682, referencing Attorney Docket No. 144009.00200.**

No fee is believed to be due with filing of this Petition, in part, because Applicant is requesting correction of a mistake by the USPTO. However, if there are any other fees due with the filing of this Petition, Applicant respectfully requests that any and all such fees due be charged to **Deposit Account No. 50-1682, referencing Attorney Docket No. 144009.00200.**

Respectfully submitted,
Powell Goldstein LLP

Date: August 10, 2005

By: 

James Remenick
Registration No. 36,902

Enclosed: Fee Worksheets

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Washington, DC 20001-4413
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Application or Docket Number

09/822261

PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875**CLAIMS AS FILED - PART I**

(Column 1)

(Column 2)

| FOR | NUMBER FILED | NUMBER EXTRA |
|---|--------------|--------------|
| BASIC FEE (37 CFR 1.16(a)) | | |
| TOTAL CLAIMS (37 CFR 1.16(c)) | minus 20 = | |
| INDEPENDENT CLAIMS (37 CFR 1.16(b)) | minus 3 = | |
| MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d)) | | |

SMALL ENTITY

OR

OTHER THAN SMALL ENTITY

| RATE | FEE |
|-------|-----|
| \$ | \$ |
| x \$ | |
| x \$ | |
| + \$ | |
| TOTAL | |

| RATE | FEE |
|-------|-----|
| \$ | \$ |
| x \$ | |
| x \$ | |
| + \$ | |
| TOTAL | |

* If the difference in column 1 is less than zero, enter "0" in column 2.

CLAIMS AS AMENDED - PART II

(Column 1)

(Column 2)

(Column 3)

| AMENDMENT A | | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|---|----|----------------------------------|------------------------------------|---------------|
| | | | | |
| Total (37 CFR 1.16(c)) | 59 | Minus | 55 | |
| Independent (37 CFR 1.16(b)) | 4 | Minus | 4 | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | |

SMALL ENTITY

OR

OTHER THAN SMALL ENTITY

| RATE | ADDITIONAL FEE |
|-----------------|----------------|
| x \$ | |
| x \$ | |
| + \$ | |
| TOTAL ADD'L FEE | |

| RATE | ADDITIONAL FEE |
|-----------------|----------------|
| x \$ 50.00 | |
| x \$ 200.00 | |
| + \$ | |
| TOTAL ADD'L FEE | |

| AMENDMENT B | | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|---|--|----------------------------------|------------------------------------|---------------|
| | | | | |
| Total (37 CFR 1.16(c)) | | Minus | | |
| Independent (37 CFR 1.16(b)) | | Minus | | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | |

| RATE | ADDITIONAL FEE |
|-----------------|----------------|
| x \$ | |
| x \$ | |
| + \$ | |
| TOTAL ADD'L FEE | |

| RATE | ADDITIONAL FEE |
|-----------------|----------------|
| x \$ | |
| x \$ | |
| + \$ | |
| TOTAL ADD'L FEE | |

| AMENDMENT C | | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
|---|--|----------------------------------|------------------------------------|---------------|
| | | | | |
| Total (37 CFR 1.16(c)) | | Minus | | |
| Independent (37 CFR 1.16(b)) | | Minus | | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | |

| RATE | ADDITIONAL FEE |
|-----------------|----------------|
| x \$ | |
| x \$ | |
| + \$ | |
| TOTAL ADD'L FEE | |

| RATE | ADDITIONAL FEE |
|-----------------|----------------|
| x \$ | |
| x \$ | |
| + \$ | |
| TOTAL ADD'L FEE | |

- * If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.15. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT APPLICATION FEE DETERMINATION RECORD
Effective October 1, 2000

Application or Docket Number

09/822,261

CLAIMS AS FILED - PART I

| | (Column 1) | (Column 2) |
|----------------------------------|---------------|--------------------------|
| TOTAL CLAIMS | 59 | |
| FOR | NUMBER FILED | NUMBER EXTRA |
| TOTAL CHARGEABLE CLAIMS | 59 minus 20 = | 39 |
| INDEPENDENT CLAIMS | 6 minus 3 = | 3 |
| MULTIPLE DEPENDENT CLAIM PRESENT | | <input type="checkbox"/> |

* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY TYPE ☐ OR

OTHER THAN SMALL ENTITY

| RATE | FEE |
|-----------|--------|
| BASIC FEE | 355.00 |
| X3 9= | 351 |
| X40= | 120 |
| +135= | |
| TOTAL | 826 |

| RATE | FEE |
|-----------|--------|
| BASIC FEE | 710.00 |
| X318= | |
| X80= | |
| +270= | |
| TOTAL | |

CLAIMS AS AMENDED - PART II

| | (Column 1) | (Column 2) | (Column 3) |
|--|----------------------------------|------------------------------------|--------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
| Total | 59 | 59 | 0 |
| Independent | 6 | 6 | 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | <input type="checkbox"/> |

SMALL ENTITY OR

OTHER THAN SMALL ENTITY

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X3 9= | |
| X40= | |
| +135= | |
| TOTAL ADDIT. FEE | |

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X318= | |
| X80= | |
| +270= | |
| TOTAL ADDIT. FEE | |

225.05

| | (Column 1) | (Column 2) | (Column 3) |
|--|----------------------------------|------------------------------------|--------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
| Total | 59 | 59 | 0 |
| Independent | 11 | 6 | 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | <input type="checkbox"/> |

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X3 9= | |
| X40= | |
| +135= | |
| TOTAL ADDIT. FEE | |

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X318= | |
| X80= | |
| +270= | |
| TOTAL ADDIT. FEE | |

420.05

| | (Column 1) | (Column 2) | (Column 3) |
|--|----------------------------------|------------------------------------|--------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
| Total | 55 | 50 | 0 |
| Independent | 4 | 6 | 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | | <input type="checkbox"/> |

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X3 9= | |
| X40= | |
| +135= | |
| TOTAL ADDIT. FEE | |

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X318= | |
| X80= | |
| +270= | |
| TOTAL ADDIT. FEE | |

* If the entry in column 1 is less than the entry in column 2, enter "0" in column 3.
 ** If the "Highest Number Previously Paid For" in THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" in THIS SPACE is less than 3, enter "3".
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

PATENT APPLICATION FEE DETERMINATION RECORD Effective October 1, 2000

Application or Docket Number

09/822,261

CLAIMS AS FILED - PART I

| | (Column 1) | (Column 2) |
|---|--------------|--------------|
| TOTAL CLAIMS | 59 | |
| FOR | NUMBER FILED | NUMBER EXTRA |
| TOTAL CHARGEABLE CLAIMS | 59 minus 20= | 39 |
| INDEPENDENT CLAIMS | 6 minus 3= | 3 |
| MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/> | | |

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

| | (Column 1) | (Column 2) | (Column 3) |
|---|----------------------------------|------------------------------------|---------------|
| AMENDMENT A | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
| Total | 59 | Minus 59 | = 0 |
| Independent | 6 | Minus 6 | = 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/> | | | |

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

| RATE | FEE |
|-----------|--------|
| BASIC FEE | 355.00 |
| X\$ 9= | 351 |
| X40= | 120 |
| +135= | |
| TOTAL | 826 |

| RATE | FEE |
|-----------|--------|
| BASIC FEE | 710.00 |
| X\$18= | |
| X80= | |
| +270= | |
| TOTAL | |

SMALL ENTITY OR

OTHER THAN SMALL ENTITY

| RATE | ADDITIONAL FEE |
|----------------|----------------|
| X\$ 9= | |
| X40= | |
| +135= | |
| TOTAL | |
| ADDITIONAL FEE | |

| RATE | ADDITIONAL FEE |
|----------------|----------------|
| X\$18= | |
| X80= | |
| +270= | |
| TOTAL | |
| ADDITIONAL FEE | |

225.05

| | (Column 1) | (Column 2) | (Column 3) |
|---|----------------------------------|------------------------------------|---------------|
| AMENDMENT B | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
| Total | 59 | Minus 59 | = 0 |
| Independent | 1 | Minus 6 | = 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/> | | | |

| RATE | ADDITIONAL FEE |
|----------------|----------------|
| X\$ 9= | |
| X40= | |
| +135= | |
| TOTAL | |
| ADDITIONAL FEE | |

| RATE | ADDITIONAL FEE |
|----------------|----------------|
| X\$18= | |
| X80= | |
| +270= | |
| TOTAL | |
| ADDITIONAL FEE | |

| | (Column 1) | (Column 2) | (Column 3) |
|---|----------------------------------|------------------------------------|---------------|
| AMENDMENT C | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
| Total | | Minus | = |
| Independent | | Minus | = |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/> | | | |

| RATE | ADDITIONAL FEE |
|----------------|----------------|
| X\$ 9= | |
| X40= | |
| +135= | |
| TOTAL | |
| ADDITIONAL FEE | |

| RATE | ADDITIONAL FEE |
|----------------|----------------|
| X\$18= | |
| X80= | |
| +270= | |
| TOTAL | |
| ADDITIONAL FEE | |

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

PATENT APPLICATION FEE DETERMINATION RECORD Effective October 1, 2000

Application or Docket Number

031672-0005

CLAIMS AS FILED - PART I

| | (Column 1) | (Column 2) |
|---|--------------|--------------|
| TOTAL CLAIMS | 59 | |
| FOR | NUMBER FILED | NUMBER EXTRA |
| TOTAL CHARGEABLE CLAIMS | 59 minus 20= | 39 |
| INDEPENDENT CLAIMS | 6 minus 3= | 3 |
| MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/> | | |

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

| | (Column 1) | (Column 2) | (Column 3) |
|---|------------|------------------------------------|---------------|
| CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
| Total | 59 | Minus .. 59 | = |
| Independent | 6 | Minus ... 6 | = |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/> | | | |

| | (Column 1) | (Column 2) | (Column 3) |
|---|------------|------------------------------------|---------------|
| CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
| Total | | Minus | = |
| Independent | | Minus | = |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/> | | | |

| | (Column 1) | (Column 2) | (Column 3) |
|---|------------|------------------------------------|---------------|
| CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
| Total | | Minus | = |
| Independent | | Minus | = |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/> | | | |

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

| RATE | FEE |
|-----------|--------|
| BASIC FEE | 355.00 |
| X\$ 9= | 351 |
| X40= | 120 |
| +135= | |
| TOTAL | 826 |

| RATE | FEE |
|-----------|--------|
| BASIC FEE | 710.00 |
| X\$18= | |
| X80= | |
| +270= | |
| TOTAL | |

SMALL ENTITY OR

OTHER THAN SMALL ENTITY

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X\$ 9= | |
| X40= | |
| +135= | |
| TOTAL ADDIT. FEE | |

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X\$18= | |
| X80= | |
| +270= | |
| TOTAL ADDIT. FEE | |

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X\$ 9= | |
| X40= | |
| +135= | |
| TOTAL ADDIT. FEE | |

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X\$18= | |
| X80= | |
| +270= | |
| TOTAL ADDIT. FEE | |

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X\$ 9= | |
| X40= | |
| +135= | |
| TOTAL ADDIT. FEE | |

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X\$18= | |
| X80= | |
| +270= | |
| TOTAL ADDIT. FEE | |

PATENT APPLICATION FEE DETERMINATION RECORD Effective October 1, 2000

Application or Docket Number

031672.0005

CLAIMS AS FILED - PART I

| | (Column 1) | (Column 2) |
|---|--------------|--------------|
| TOTAL CLAIMS | 59 | |
| FOR | NUMBER FILED | NUMBER EXTRA |
| TOTAL CHARGEABLE CLAIMS | 59 minus 20= | 39 |
| INDEPENDENT CLAIMS | 6 minus 3= | 3 |
| MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/> | | |

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

| | (Column 1) | (Column 2) | (Column 3) |
|---|----------------------------------|------------------------------------|---------------|
| AMENDMENT A | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
| Total | • | Minus | •• = |
| Independent | • | Minus | ••• = |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/> | | | |

| | (Column 1) | (Column 2) | (Column 3) |
|---|----------------------------------|------------------------------------|---------------|
| AMENDMENT B | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
| Total | • | Minus | •• = |
| Independent | • | Minus | ••• = |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/> | | | |

| | (Column 1) | (Column 2) | (Column 3) |
|---|----------------------------------|------------------------------------|---------------|
| AMENDMENT C | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |
| Total | • | Minus | •• = |
| Independent | • | Minus | ••• = |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/> | | | |

- * If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 - ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
 - *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

| RATE | FEE |
|-----------|--------|
| BASIC FEE | 355.00 |
| X\$ 9= | 351 |
| X40= | 120 |
| +135= | |
| TOTAL | 826 |

| RATE | FEE |
|-----------|--------|
| BASIC FEE | 710.00 |
| X\$18= | |
| X80= | |
| +270= | |
| TOTAL | |

SMALL ENTITY OR

OTHER THAN SMALL ENTITY

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X\$ 9= | |
| X40= | |
| +135= | |
| TOTAL ADDIT. FEE | |

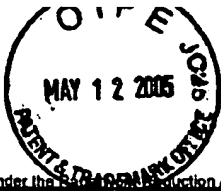
| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X\$18= | |
| X80= | |
| +270= | |
| TOTAL ADDIT. FEE | |

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X\$ 9= | |
| X40= | |
| +135= | |
| TOTAL ADDIT. FEE | |

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X\$18= | |
| X80= | |
| +270= | |
| TOTAL ADDIT. FEE | |

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X\$ 9= | |
| X40= | |
| +135= | |
| TOTAL ADDIT. FEE | |

| RATE | ADDITIONAL FEE |
|------------------|----------------|
| X\$18= | |
| X80= | |
| +270= | |
| TOTAL ADDIT. FEE | |



PCG

PTO/SB/30 (04-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|------------------------|-------------------------|
| Application Number | 09/822,261 |
| Filing Date | April 2, 2001 |
| First Named Inventor | William A. KNAUS et al. |
| Art Unit | 2137 |
| Examiner Name | Michael J. Pyzocha |
| Attorney Docket Number | 144009.00200 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to
- a. ☐ Deposit Account No. 50-1682. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
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